



**HUMAN RESOURCES OFFICE  
TECHNICIAN / AGR ADMINISTRATIVE INSTRUCTION**

**Number: 10-02**

**25 January 2010**

**LOSS OF MILITARY MEMBERSHIP**

1. While drafting the National Guard Technician Act of 1968 (P.L. 90-486), the U.S. Senate recognized the importance of technician military assignments in relation to full-time employment. Law includes the requirement for military membership and compatible military assignment as a part of this legislation. It is a **legal requirement** for dual status technicians who hold excepted appointments in the Federal Civil Service to be members of the National Guard.
2. If excepted technicians in positions requiring National Guard membership as a condition of employment are separated from the National Guard or cease to hold military grades specified for positions by the Secretary concerned, they shall be **promptly** separated from technician employment by The Adjutant General of the jurisdictions affected.
3. Once technicians are notified of military discharge for any reason, it is their responsibility plus that of supervisors to notify the Human Resources Office (HRO) immediately. **Failure to do so could create undue hardship for employees and may be cause for adverse action against supervisors.**
4. In accordance with law, rule and regulation, once HRO receives a copy of the discharge order, a 30-day notice will be issued to technicians and, if eligible, retirement information. To comply with the law, HRO should be advised of technician discharge dates 45 days before the effective date of the discharge. Technicians should not work past their military discharge dates. The Congressional intent of the law is that the military discharge and technician separation dates coincide.
5. It is imperative that supervisors, managers, and employees be cognizant of the consequences of allowing technicians to continue working after discharge dates.
6. If you have any questions or need assistance, please call the Human Resources Office, at (916) 854-3350, DSN 466-3350, or CAGNET 63350.

  
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